Public Law 97-352
97th Congress

An Act

To amend the Perishable Agricultural Commodities Act, 1930, to require the Secretary of Agriculture to accept the payment of monetary penalties for certain admitted and infrequent violations involving misrepresentation under such Act, and for other purposes.

Oct. 18, 1982
[H.R. 6865]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(5) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499b(5)), is amended by amending the proviso to read as follows: "*Provided,* That any commission merchant, dealer, or broker who has violated—

Perishable Agricultural Commodities Act, 1930, amendment.

"(A) any provision of this paragraph may, with the consent of the Secretary, admit the violation or violations; or

"(B) any provision of this paragraph relating to a misrepresentation by mark, stencil, or label shall be permitted by the Secretary to admit the violation or violations if such violation or violations are not repeated or flagrant;

and pay, in the case of a violation under either clause (A) or (B) of this paragraph, a monetary penalty not to exceed $2,000 in lieu of a formal proceeding for the suspension or revocation of license, any payment so made to be deposited in the Treasury of the United States as miscellaneous receipts;".

SEC. 2. Section 6(e) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499f(e)), is amended by inserting "or by a resident of the United States to whom the claim of a nonresident of the United States has been assigned," after "nonresident of the United States,".

SEC. 3. The amendment made by section 2 shall not apply with respect to complaints made under section 6(e) of the Perishable Agricultural Commodities Act, 1930, before the date of enactment of this Act.

Effective date.
7 USC 499f note.

Approved October 18, 1982.

LEGISLATIVE HISTORY—H.R. 6865:

HOUSE REPORT No. 97-876 (Comm. on Agriculture).
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Sept. 28, considered and passed House.
Oct. 1, considered and passed Senate.